

**ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD
MINUTES OF MEETING
OCTOBER 11, 2006
PHOENIX, ARIZONA**

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on October 11, 2006, at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

Members Present:

Sheriff Gary Butler, Chairman
Assistant Chief Andy Anderson, representing Chief Harris
Mr. Tim Black, representing Attorney General Terry Goddard
Mr. Joseph Duarte
Chief Pennie Gillette-Stroud, representing Director Roger Vanderpool
Chief Patricia Huntsman
John Hallahan, representing Director Dora Schriro
Chief Jerry Sheridan
Detective Robert Thompson
Sgt. Tamatha Villar

Members Absent:

Sheriff Clarence Dupnik
Ms. Wendy Larsen
Dr. Michael Polakowski

Staff in Attendance:

Ted Brandon
Ed Felix
Rosalee Fitch
Bob Forry
Tom Hammarstrom
Steve Jacobs
Lyle Mann
Gary Maschner
Curt Milam
Sandy Sierra
Maria Valtierra
Mark Zbojniewicz

Assistant Attorney General
Diana Stabler

Guest Roster:

Jan Madeya, ACIP
Joe Martinez, Kearny-Hayden Police Department

A. CALL TO ORDER

Chairman Butler called the meeting to order at 10:05 a.m.

B. TRAINING AUDIT DEFICIENCIES FOR HOPI BIA OFFICERS (Calendar Year 2005)

Bob Forry addressed the Board regarding the training deficiencies of two Hopi BIA Officers. Under Arizona Administrative Code, R13-4-109.01, the Board shall restrict certified status if a peace officer fails to satisfy the requirements of R13-4-111. The restriction shall remain in effect until the training or qualification requirement is met and written verification is provided to the Board."

Chief Sheridan moved to restrict the peace officer certification of W. Coochyouma and L. Lomayaktewa as recommended in the Board Communication, seconded by Chief Huntsman, motion carried unanimously.

C. FINAL ACTION CASES:

Case #1 – Jarrod E. Brown. *Chief Sheridan recused himself from participating and voting on this case.* The Board considered comments from Assistant Attorney General Diana Stabler. Sgt. Villar made a motion to adopt the Consent Agreement, Order and Decision for voluntary relinquishment of peace officer certification, seconded by Mr. Black, motion carried unanimously.

Case #2 – Matthew D. Earls. The Board considered comments from Assistant A. G. Diana Stabler. Sgt. Villar made a motion to adopt the Consent Agreement, Order and Decision for voluntary relinquishment of peace officer certification, seconded by Chief Huntsman, motion carried unanimously.

Case #3 – Anthony J. Guinta. *Mr. Duarte recused himself from participating and voting on this case.* The Board considered comments from Assistant A. G. Diana Stabler. Chief Huntsman made a motion to adopt the Consent Agreement, Order and Decision for voluntary

relinquishment of peace officer certification, seconded by Chief Gillette-Stroud, motion carried unanimously.

Case #4 – Christopher T. Larson. *Chief Gillette-Stroud recused herself from participating and voting on this case.* The Board considered comments from Assistant A. G. Diana Stabler and Ed Robaina, attorney for Mr. Larson. Chief Sheridan made a motion to adopt the Consent Agreement, Order and Decision and suspend peace officer certification until lapse, seconded by Chief Huntsman, motion carried unanimously.

Case #5 – Michael M. Lyles. The Board considered comments from Assistant A. G. Diana Stabler. Chief Pennie Gillette-Stroud made a motion to reject the Consent Agreement, Order and Decision, motion failed due to lack of a second. Chief Sheridan made a motion to adopt the Consent Agreement, Order and Decision and suspend peace officer certification for a period of two years beginning on March 25, 2005, and ending on March 25, 2007, seconded by Mr. Duarte, motion carried with one nay vote.

Case #6 – Melvin G. Holt. The Board considered comments from Assistant A. G. Diana Stabler. Ms. Stabler stated after further research, Finding of Fact #1 should be dismissed and the Board should adopt Finding of Fact #2. Chief Sheridan made a motion to reject the Findings of Fact #1 and adopt the Findings of Fact and Conclusions of Law #2 and take No Action, seconded by Mr. Black, motion carried with one nay vote.

Case #7 – Jason C. Perone. The Board considered comments from Assistant A. G. Diana Stabler. Chief Sheridan made a motion to adopt the Findings of Fact and Conclusions of Law and suspend peace officer certification until lapse, seconded by Mr. Duarte, motion carried with one nay vote.

Case #8 – Allen D. Reinemund. The Board considered comments from Assistant A.G. Diana Stabler. Mr. Duarte made a motion to grant the Motion to Dismiss, seconded by Chief Huntsman, motion carried with three nay votes.

Case #9 – Jack McClaren. *Sgt. Villar recused herself from participating and voting on this case.* The Board considered comments from Assistant A.G. Diana Stabler, Jack McClaren and Mike Storie, attorney for Mr. McClaren. Chief Sheridan made a motion to adopt the Findings of Fact and Conclusions of Law and take No Action, seconded by Mr. Black, motion carried with one nay vote.

I. NEW CHARGING CASES:

Case #1 – John S. Aldrete Jr. Chief Gillette-Stroud made a motion to close the case with **No Action w/Agency Discretion**, seconded by Sgt. Villar, motion carried unanimously.

Case #2 – Casey M. Araujo. Chief Gillette-Stroud made a motion to close the case with **No Action w/Agency Discretion**, seconded by Sgt. Villar, motion carried unanimously.

Case #3 – Joseph N. Ashcroft. Diana Stabler stated that a Consent Agreement was received in which Mr. Ashcroft voluntarily relinquished his certification. Sgt. Villar made a motion to adopt the Consent Agreement, seconded by Chief Huntsman, motion carried unanimously.

Case #4 – Fred J. Barlow. *Chief Anderson recused himself from participating on this case.* Chief Gillette-Stroud made a motion to **Initiate Proceedings**, seconded by Chief Sheridan, motion carried unanimously.

Case #5 – Preston L. Barlow. *Chief Anderson recused himself from participating on this case.* Chief Huntsman made a motion to **Initiate Proceedings**, seconded by Chief Gillette-Stroud, motion carried unanimously.

Case #6 – Andrew R. Converse. Mr. Black made a motion to close the case with **No Action**, seconded by Mr. Duarte, motion carried unanimously.

Case #7 – Vincent P. Fuca. Chief Sheridan made a motion to **Initiate Proceedings**, seconded by Sgt. Villar, motion carried unanimously. Chief Sheridan requested that staff negotiate a consent agreement on this case.

Case #8 – Steven F. Garcia. Sgt. Villar made a motion to **Initiate Proceedings**, seconded by Mr. Duarte, motion carried unanimously.

Case #9 – Albert J. Gonzalez. Chief Sheridan made a motion to close the case with **No Action w/Agency Discretion**, seconded by Chief Huntsman, motion carried unanimously.

Case #10 – Bruce Knappenberger. *Chief Andy Anderson recused himself from participating on this case.* Chief Gillette-Stroud made a motion to **Initiate Proceedings**, seconded by Mr. Duarte, motion carried with one nay vote.

Case #11 – Keith J. Packard. Chief Sheridan made a motion to close the case with **No Action w/Agency Discretion**, seconded by Chief Huntsman, motion carried unanimously.

Case #12 – Marty K. Paxson. Chief Sheridan made a motion to **Initiate Proceedings**, seconded by Mr. Duarte, motion carried unanimously.

Case #13 – Jeffrey T. Sakurai. Mr. Black made a motion to **Initiate Proceedings**, seconded by Mr. Duarte, motion carried unanimously.

Case #14– Daniel L. Schrader. *Chief Gillette-Stroud recused herself from participating and voting on this case.* Chief Sheridan made a motion to **Initiate Proceedings**, seconded by Mr. Black, motion carried with two nay votes. Chief Sheridan requested that staff negotiate a consent agreement on this case.

Case #15 – Ricky B. Zelman. Sgt. Villar made a motion to close the case with **No Action w/Agency Discretion**, seconded by Chief Huntsman, motion carried with two nay votes.

K. ADJOURN

Chairman Butler adjourned the meeting at 12:05 p.m.